



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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RE APPLICATION OF:

McCormick et al.

APPLICATION No.: 09/642,607

FILED: AUGUST 17, 2000

FOR: CAPILLARY ELECTROKINESIS BASED
CELLULAR ASSAYS

EXAMINER: BROWN, J.

ART UNIT: 1743

CONFIRMATION No.: 6932

**Information Disclosure Statement After First Office Action but
Before Final Action or Notice of Allowance – 37 CFR 1.97(c)**

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

1. Timing of Submission

The information transmitted herewith is being filed *after* three months of the filing date of this application or after the mailing date of the first Office action on the merits, whichever occurred last, but *before* the mailing date of either a final action under 37 CFR 1.113 or a Notice of Allowance under 37 CFR 1.311, whichever occurs first. The references listed on the enclosed Form PTO/SB/08A may be material to the examination of this application; the Examiner is requested to make them of record in the application.

2. Cited Information

Copies of the following references are enclosed:

All cited references
 References marked by asterisks
 The following:

01/30/2003 HVUDM61 00000041 09642607

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3. Effect of Information Disclosure Statement (37 CFR 1.97(h))

This Information Disclosure Statement is not to be construed as a representation that: (i) a search has been made; (ii) additional information material to the examination of this application does not exist; (iii) the information, protocols, results and the like reported by third parties are accurate or enabling; or (iv) the cited information is, or is considered to be, material to patentability. In addition, applicant does not admit that any enclosed item of information constitutes prior art to the subject invention and specifically reserves the right to demonstrate that any such reference is not prior art.

4. Fee Payment (37 CFR 1.97(c)) or Certification (37 CFR 1.97(e))

- Applicant elects to pay the fee under 37 CFR 1.17(p) \$180.00.
 - Check enclosed for \$180.00.
- Please charge any underpayment for timely filing of this paper to Deposit Account No. 50-2207.

5. Patent Term Adjustment (37 CFR 1.704(d))

- The undersigned states that each item of information submitted herewith was cited in a communication from a foreign patent office in a counterpart application and that this communication was not received by any individual designated in 37 C.F.R. §1.56(c) more than thirty days prior to the filing of this statement. 37 C.F.R. §1.704(d).

Respectfully submitted,
Perkins Coie LLP

Date: 1/27/03



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